

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CRIMINAL NO.: 09-cr-20549
HON. Denise P. Hood

v

DETRIC LAMONT DRIVER, also known as
ABDULLAH BEARD,

Defendant.

/

**SUPPLEMENT TO DEFENDANT DETRIC DRIVER'S THIRD
CONSOLIDATED MOTION AND BRIEF TO REVOKE THE DETENTION ORDER**

Counsel represented in his Third Consolidated Motion and Brief to Revoke the Detention Order that several tapes referenced in the Motion at pages 6-7 would be supplied to the Court by counsel. However, upon review of the Protective Order entered in this case, counsel is prohibited from supplying the tapes to the Court. Accordingly, counsel is requesting that the Court order the government to supply CD#'s 86, 136, and 170 to the Court for review of the pertinent sections quoted in the Motion.¹

Counsel also does request that the Court view the transcript of pertinent portions of tape 86, 12-1-08, previously supplied to the Court by the government in connection with Defendant's prior motions to revoke detention order.² The transcript *conveniently omits* the statement of Mr. Driver that "I ain't about to do nothing now" when he was "puffing" about the check cashing store robbery.

¹Counsel also requested in the Motion that the Court order the government to provide videotape #394 to the Court for viewing inasmuch as counsel does not have a copy.

²The Protective Order prohibits counsel from supplying the transcript to the Court.

With respect to the conversation in tape 136, referenced in counsel's Motion, about the agent inquiring if Mr. Driver had obtained any binoculars (and Mr. Driver replies "no"): this conversation is relevant because in tape 86, Mr. Driver states to the agent provocateur "I gotta get some binoculars." The agent then follows up in tape 136 about the binoculars in an effort to induce and instigate Mr. Driver and Mr. Driver makes clear that he is not interested, demonstrating that the prior conversation in tape 86 was "puffery."

WHEREFORE, Defendant does respectfully request that the Court grant the Motion for Revocation of Detention Order.

Respectfully submitted,

LAW OFFICES OF S. ALLEN EARLY

/s/ S. Allen Early
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(313) 962-2320

Date: July 15, 2010

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CERTIFICATE OF SERVICE

I hereby certify that on July 15, 2010, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to all parties in this case.

LAW OFFICES OF S. ALLEN EARLY

/s/ S. Allen Early
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